

Attorney Docket No.: 047373-0148

Applicants: Noriyuki UMEZAWA et al.

Title: METHOD AND APPARATUS FOR
DISCRIMINATING TONER BOTTLE TYPES,
STIRRING TONER, AND DETECTING THE
AMOUNT OF REMAINING TONER

Reissue Appl. No.: 10/658,849

Reissue Filing Date: 09/10/2003

Examiner: Not Yet Assigned

Art Unit: 2852

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Mail Stop REISSUE
Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56. A copy of each listed document, except as noted below, is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The USPTO has waived the requirement under 37 CFR 1.98(a)(2)(i) to submit copies of U.S. patents and U.S. patent application publications when citing and submitting an Information Disclosure Statements in a patent application filed after June 30, 2003 and in an international application that has entered the national stage under 37 USC §371 after June 30, 2003. Accordingly, copies of these types of documents are not being supplied in connection with this application. Reference is being made to Pre-OG Notice from Office of Patent Legal Administration dated July 25, 2003, *Information Disclosure Statements May Be Filed Without Copies of U.S. Patents and Published Applications in Patent Applications filed after June 30, 2003.*

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits.

RELEVANCE OF EACH DOCUMENT

Document A99 relates to a cartridge type processor.

Documents A100 and A161 relate to image forming units, having a toner cartridge.

Document A101 relates to a printing device.

Document A102 relates to a toner container.

Document A103 relates to a developing device for dry processing.

Document A104, A105, A129, A135, A150, and A153 relate to an image forming device.

Document A106 relates to a toner recovering device.

Documents A107, A108, A111, and A123 relate to a cylindrical type toner cartridge that has a shutter to open and close a toner discharging hole. Document A30 is the U.S. counterpart of Document A111. Document A44 is the U.S. counterpart of Document A123.

Document A109 relates to a developer container, processing cartridge, and judgement device for recycling of such container or cartridge and image forming device.

Document A110 relates to an electrostatic charge image developing method.

Document A112 relates to a sensor for proper positioning of a container.

Document A113 relates to a developing device.

Document A114 relates to a toner housing container.

Document A115 relates to controlling quality of toner to be supplied in a developing device by controlling rotational speed of a toner container.

Document A116 relates to a toner cartridge having code read by a code sensor. Information of toner manufacturing is recorded in code.

Documents A117, A122, A130, A131, A134, A137 and A145 relate to a toner bottle having spiral inside to transfer toner toward a toner discharging hole in accordance with its rotation. Document A49 is the U.S. counterpart of Document A131. Document A55 is the U.S. counterpart of Document A134. Document A72 is the U.S. counterpart of Document A137.

Document A118 relates to a toner replenishing device.

Document A119 relates to an image forming apparatus, including a toner cartridge which is detached from an image forming apparatus with a waste toner cartridge as a unit.

Document A120 relates to a toner cartridge that has a projection or recess to discriminate type of toner bottle. Document A42 is the U.S. counterpart of Document A120.

Document A121 relates to a developer container and developer supplying device.

Document A122 relates to a toner bottle having a spiral inside to transfer toner toward a toner discharging hole in accordance with its rotation. It also discloses a shutter mechanism for the toner bottle.

Document A124 relates to a toner supply device.

Document A125 relates to a toner cartridge.

Document A126 relates to a toner bottle that has projections on its lateral surface. Document A54 is the U.S. counterpart of Document A126.

Documents A127, A162, and A167 relate to a structure of developer replenishing container, including spiral grooves. Document A79 is the U.S. counterpart of Document A162 and Document A167.

Document A128 relates to a toner bottle that has a spiral groove on its lateral surface. A toner discharging port is provided near the top of the toner bottle. A projection is also provided near the toner discharging port. Document A67 is the U.S. counterpart of Document A128.

Document A132 relates to changing quantity of toner to be supplied in a toner reserve tank.

Document A133 relates to a toner bottle having spiral inside to transfer toward a toner discharging hole in accordance with its rotation. This bottle has a projection near the toner discharging hole. Document A50 is the U.S. counterpart of Document A133.

Document A136 relates to a process cartridge and image forming device.

Document A138 relates to a toner bottle and vibration thereof.

Document A139 relates to an image forming device.

Document A140 relates to a toner container having a toner discharge opening along its axis direction.

Document A141 relates to changing quantity of toner to be supplied in a developing device.

Document A142 relates to a developer feeder.

Document A143 relates to a toner replenishing device for an electrostatic recording device.

Document A144 relates to an ink ribbon cassette for a typewriter or similar machine.

Document A146 relates to a copying machine. Document A23 is the U.S. counterpart of Document A146.

Document A147 relates to a toner feeder.

Document A148 relates to a coupling portion 1025 of a cylindrical type toner bottle to set the toner bottle in the image forming apparatus.

Document A149 relates to a cartridge, its production and an image forming device. Document A92 is the U.S. counterpart of Document A149.

Document A151 relates to a recorder, and a method for discriminating compatibility of toner cartridge recorder and toner cartridge.

Document A152 relates to a powder storage container and an image forming device with powder storage container.

Document A154 relates to a developing cartridge.

Document A155 relates to a toner bottle that has a spiral groove on its lateral surface. The toner bottle has a toner discharging port and a shutter to open or close the toner discharging port. Its filing and publication date are after the filing date of the base patent of the present case.

Document A156 relates to an oscillation mechanism for a toner collecting container to provide vibration to a waste toner box.

Document A157 relates to a position determining device and method for tubular container including setting a cylindrical container by sensing a bar code provided on the cylindrical container.

Document A158 relates to an electronic photograph device, including a toner container in a waste toner box.

Document A159 relates to a disposed toner amount detection apparatus, including providing vibration for a waste toner box.

Document A160 relates to a molded vessel and confirmation of type of origin thereof, including a container having a code of recorded information as to its manufacturing process.

Document A163 relates to a toner bottle that has a spiral groove on its lateral surface.

Document A164 relates to a toner bottle that has projections on its lateral surface.

Document A165 relates to a toner bottle that has a spiral groove on its lateral surface. A toner discharging port is provided near the top of the toner bottle. A projection is also provided near the toner discharging port.

Document A166 relates to a toner bottle that has a spiral groove on its lateral surface. The toner bottle has projections on the lateral surface.

Document A168 relates to a toner bottle that has a spiral groove on its lateral surface. A toner discharging port is provided near the top of the toner bottle. A projection is also provided near the toner discharging port.

Applicants have compiled known references in the toner bottle area, including from the U.S. and corresponding Japanese application prosecution of a group of patents filed on the same day in the U.S., and have cited references out of an abundance of caution. In this regard, various references have filing dates after that of the base patent of the present reissue application, but are being cited out of an abundance of caution.

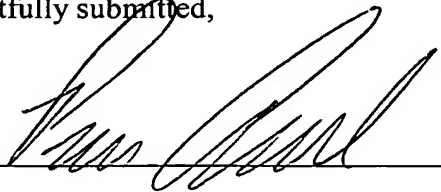
English language translations of the foreign-language documents are not readily available. However, the absence of such translation does not relieve the PTO from its duty to consider the submitted foreign language documents (37 CFR §1.98 and MPEP §609). Where available, English language abstracts are attached.

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date APRIL 16, 2004

By 

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APR 16 2004

MODIFIED PTO/SB/08 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 5

Complete if Known

Application Number	10/658,849
Filing Date	09/10/2003
First Named Inventor	Noriyuki UMEZAWA
Group Art Unit	2852
Examiner Name	Unassigned
Attorney Docket Number	047373-0148

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
	A1	D356,813		ICHIKAWA ET AL.	03/28/1995	
	A2	D403,348		MATSUOKA ET AL.	12/29/1998	
	A3	D406,162		TATSUMI	02/23/1999	
	A4	D430,197		WANG ET AL.	08/29/2000	
	A5	D431,595		WANG ET AL.	10/03/2000	
	A6	D436,121	S	WANG ET AL.	01/09/2001	
	A7	D437,346	S	WANG ET AL.	02/06/2001	
	A8	D437,347	S	WANG ET AL.	02/06/2001	
	A9*	D447,167	S	TANIYAMA	08/28/2001	
	A10	D458,301	S	WANG ET AL.	06/04/2002	
	A11	D458,302	S	WANG ET AL.	06/04/2002	
	A12	D458,960	S	WANG ET AL.	06/18/2002	
	A13	D458,961	S	WANG ET AL.	06/18/2002	
	A14	D458,962	S	WANG ET AL.	06/18/2002	
	A15	3,581,949		CONRAD ET AL.	06/01/1971	
	A16	3,669,072		REYNOLDS ET AL.	06/13/1972	
	A17	3,721,360		COLLIE	03/20/1973	
	A18	4,060,105		FELDEISEN ET AL.	11/29/1977	
	A19	4,436,414		KAMIYAMA ET AL.	03/13/1984	
	A20	4,740,808		KASSAMURA ET AL.	04/26/1988	
	A21	4,878,603		IKESUE ET AL.	11/07/1989	
	A22	4,961,088		GILLILAND ET AL.	10/02/1990	
	A23	4,963,939		KURANDO ET AL.	10/16/1990	
	A24	4,978,995		TAKAHASHI	12/18/1990	
	A25	5,088,144		SCHNEIDER	02/18/1992	
	A26	5,208,637		LANDA	05/04/1993	
	A27	5,296,900		SAIJO ET AL.	03/22/1994	
	A28	5,319,426		BARUCH ET AL.	06/07/1994	
	A29	5,331,381		OTA ET AL.	07/19/1994	
	A30	5,441,177		YANAGISAWA	08/15/1995	
	A31	5,455,662		ICHIKAWA ET AL.	10/03/1995	
	A32	5,475,469		OKADA ET AL.	12/12/1995	
	A33	5,500,719		ICHIKAWA ET AL.	03/19/1996	
	A34	5,528,349		SATAKE	06/18/1996	
	A35	5,534,988		GERBASI	07/09/1996	
	A36	5,541,715		KATOH ET AL.	07/30/1996	
	A37	5,557,381		SAKAMOTO ET AL.	09/17/1996	
	A38	5,585,899		PALUMBO ET AL.	12/17/1996	

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

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**INFORMATION DISCLOSURE
 STATEMENT BY APPLICANT**

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Sheet 2 of 5

Complete if Known

Application Number	10/658,849
Filing Date	09/10/2003
First Named Inventor	Noriyuki Umezawa
Group Art Unit	2852
Examiner Name	Unassigned
Attorney Docket Number	047373-0148

U.S. PATENT DOCUMENTS

U.S. Patent Document					
A39	5,589,915		HASHIMOTO	12/31/1996	
A40	5,627,631		ICHIKAWA ET AL.	05/06/1997	
A41	5,737,668		JOHROKU	04/07/1998	
A42	5,761,566		SUZUKI ET AL.	06/02/1998	
A43	5,774,772		KAI ET AL.	06/30/1998	
A44	5,774,773		OTSUKA ET AL.	06/30/1998	
A45	5,794,108		YOSHIZAWA ET AL.	08/11/1998	
A46	5,812,915		FARKASH	09/22/1998	
A47	5,857,129		HARRIS	01/1999	
A48	5,867,757		OKAZAKI ET AL.	02/02/1999	
A49	5,890,040		MATSUOKA ET AL.	03/30/1999	
A50	5,907,756		SHIROTA ET AL.	05/25/1999	
A51	5,908,124		KLAUKE ET AL.	06/01/1999	
A52	5,909,610		YOSHIKI ET AL.	06/01/1999	
A53	5,918,090		ICHIKAWA ET AL.	06/29/1999	
A54	5,918,095		HUANG	06/29/1999	
A55	5,966,574		UI ET AL.	10/12/1999	
A56	5,970,273		ZENK ET AL.	10/19/1999	
A57	5,970,290		YOSHIKI ET AL.	10/19/1999	
A58	5,970,291		MILLER	10/19/1999	
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A60	5,983,059		OKA ET AL.	11/09/1999	
A61	5,991,584		MEYER ET AL.	11/23/1999	
A62	5,999,759		PALUMBO ET AL.	12/07/1999	
A63	6,019,461		YOSHIMURA ET AL.	02/01/2000	
A64	6,032,010		KIM ET AL.	02/29/2000	
A65	6,032,013		NIIZAWA	02/29/2000	
A66	6,038,422		LOEWEL	03/14/2000	
A67	6,064,846		WANG ET AL.	05/16/2000	
A68	6,067,423		SMITH ET AL.	05/23/2000	
A69	6,067,432		HUANG	05/23/2000	
A70	6,075,963		ICHIKAWA ET AL.	06/13/2000	
A71	6,091,920		KITA ET AL.	07/18/2000	
A72	6,097,903		YAHATA ET AL.	08/01/2000	
A73	6,104,902		MEYER ET AL.	08/15/2002	
A74	6,118,951		KATO ET AL.	09/12/2000	
A75	6,128,453		BAN ET AL.	10/03/2000	
A76	6,134,411		MEYER ET AL.	10/17/2000	
A77	6,137,972		PLAYFAIR ET AL.	10/24/2000	
A78	6,151,459		HASHIMOTO ET AL.	11/21/2000	
A79	6,188,859	B1	WANG ET AL.	02/13/2001	

Examiner
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Date
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U.S. PATENT DOCUMENTS

U.S. Patent Document					
A80	6,229,976	B1	KIMURA	05/08/2001	
A81	6,229,977	B1	WANG ET AL.	05/08/2001	
A82	6,233,421	B1	WANG ET AL.	05/15/20010.	
A83	6,240,262	B1	TANIYAMA ET AL.	05/29/2001	
A84	6,256,469	B1	TANIYAMA ET AL.	07/03/2001	
A85	6,256,470	B1	TANIYAMA ET AL.	07/03/2001	
A86	6,259,877	B1	TANIYAMA ET AL.	07/10/2001	
A87	6,289,182	B1	UMEZAWA ET AL.	09/11/2001	
A88	D473,588	S	JUI-CHI ET AL.	04/22/2003	
A89	6,308,017	B1	TANIYAMA ET AL.	10/23/2001	
A90	6,308,036	B1	TANIYAMA ET AL.	10/23/2001	
A91	6,334,037	B1	ISE	12/25/2001	
A92	6,343,883	B1	TADA ET AL.	02/05/2002	
A93	6,347,195	B1	SAIKI ET AL.	02/12/2002	
A94	6,405,011	B1	WANG ET AL.	06/11/2002	
A95	6,477,335	B1	SURYA ET AL.	11/05/2002	
A96	6,505,006	B1	SOLANKI ET AL.	01/07/2003	
A97	6,542,709	B1	WANG ET AL.	04/01/2003	

COPENDING U.S. REISSUE APPLICATIONS

	Application Serial No.	Applicant	Filing Date
A98	10/745,476	ISE	12/24/2003
A98.1	10/691,436	TANIYAMA ET AL.	10/22/2003

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁸
		Office ³	Number ⁴	Kind Code ⁵ (if known)				
	A99	JP	1-255875		RICOH CO. LTD.	10/12/1989		ABS.
	A100	JP	3-153271		OKI ELECTRIC IND. CO. LTD.	07/01/1991		ABS.
	A101	JP	4-1682		NEC CORP.	01/07/1992		ABS.

Examiner Signature

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		Office ³	Number ⁴	Kind Code ⁵ (if known)				
	A102	JP	4-477		MATSUSHITA ELECTRIC IND. CO. LTD.	01/06/1992		ABS.
	A103	JP	4-60669		KYOCERA CORP.	02/26/1992		ABS.
	A104	JP	4-62564		TOSHIBA CORP.	02/27/1992		ABS.
	A105	JP	5-224479		TOSHIBA CORP.	09/03/1993		ABS.
	A106	JP	5-333749		RICOH CO. LTD.	12/17/1993		ABS.
	A107	JP	6-149047		FUJI XEROX CO. LTD.	05/27/1994		ABS.
	A108	JP	6-149048		FUJI XEROX CO. LTD.	05/27/1994		ABS.
	A109	JP	6-149051		RICOH CO. LTD.	05/27/1994		ABS.
	A110	JP	6-149061		HITACHI METALS LTD.	05/27/1994		ABS.
	A111	JP	6-266227		RICOH CO. LTD.	09/22/1994		ABS.
	A112	JP	6-316060		RISO KAGAKU CORP.	11/15/1994		ABS.
	A113	JP	6-35320		RICOH CO. LTD.	02/10/1994		ABS.
	A114	JP	7-181788		RICOH CO. LTD.	07/21/1995		ABS.
	A115	JP	7-191539		RICOH CO. LTD.	07/28/1995		ABS.
	A116	JP	7-199574		RICOH CO. LTD.	08/04/1995		ABS.
	A117	JP	7-199618		MINOLTA CO. LTD.	08/04/1995		ABS.
	A118	JP	7-20703		RICOH CO. LTD.	01/24/1995		TRANS.
	A119	JP	8-137364		RICOH CO. LTD.	05/31/1996		ABS.
	A120	JP	9-185311		BROTHER IND. LTD.	07/15/1997		ABS.
	A121	JP	9-211947		KONICA CORP.	08/15/1997		ABS.
	A122	JP	9-211977		RICOH CO. LTD.	08/15/1997		ABS.
	A123	JP	9-244369		MATSUSHITA ELECTRIC IND. CO. LTD.	09/19/1997		ABS.
	A124	JP	9-90727		RICOH CO. LTD.	04/04/1997		ABS.
	A125	JP	10-171231		RICOH CO. LTD.	06/26/1998		ABS.
	A126	DE	298 13 603 (U1)		GENERAL PLASTIC INDUSTRIAL CO., LTD.	12/24/1998		
	A127	DE	299 06 174 (U1)		GENERAL PLASTIC INDUSTRIAL CO., LTD.	08/05/1999		
	A128	DE	299 14 516 (U1)		GENERAL PLASTIC INDUSTRIAL CO., LTD.	01/13/2000		
	A129	JP	10-20642		RICOH CO. LTD.	01/23/1998		ABS.
	A130	JP	10-213957		KONICA CORP.	08/11/1998		ABS.
	A131	JP	10-260574		KONICA CORP.	09/29/1998		ABS.
	A132	JP	10-319705		RICOH CO. LTD.	12/04/1998		ABS.
	A133	JP	10-48936		MINOLTA CO. LTD.	02/20/1998		ABS.
	A134	JP	11-184232		KONICA CORP.	07/09/1999		ABS.

Examiner Signature	Date Considered	
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Sheet 5 of 5

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Application Number	10/658,849
Filing Date	09/10/2003
First Named Inventor	Noriyuki Umezawa
Group Art Unit	2852
Examiner Name	Unassigned
Attorney Docket Number	047373-0148

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ²	Number ³	Kind Code ⁵ (if known)				
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